

Remarks

Reconsideration and allowance of this application, as amended, are respectfully requested.

The written description portion of the specification, claims 1, 3, 5, 7, 8, 10, and 11, and the abstract of the disclosure have been amended. Claims 2, 4, 6, and 9 have been canceled without prejudice or disclaimer. New claims 12-16 have been added. Claims 1, 3, 5, 7, 8, and 10-16 are now pending in the application. Claims 1 and 15 are independent. The objection and rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

The specification has been editorially amended for conformance with 37 CFR § 1.77(c), for consistency, and to correct any informalities. The abstract has been editorially amended for conformance with 37 CFR § 1.72(b). The claims have been amended to overcome the grounds of objection and in general to more fully comply with U.S. practice. In view of the aforementioned claim amendments for compliance, new dependent claim 14 has been added to define features of the invention previously presented in claim 3.

To advance prosecution, claim 1 has also been amended to incorporate features of the invention previously presented in now-canceled claims 2, 4, 6, and 9. Instant claim 1 defines an embodiment of the invention in which

the extensions each [are] configured as an upwardly projecting bracket, and the connecting element [is] configured as a ledge having a fiber-reinforced synthetic material construction and [is] fastened by an adhesive to the luggage stowage compartment in at least two locations thereof so as to be unshiftable in a longitudinal direction thereof.

New claims 12-16 have been added to further define the scope of protection sought for Applicants' invention. Entry of each of the amendments is respectfully requested.

35 U.S.C. § 102(b) - Bargull

Claims 1-5 and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,839,694 to Bargull et al. (hereinafter "Bargull").

The rejection of claims 1-5 and 7 under § 102(b) based on Bargull is respectfully deemed to be obviated. For at least the following reasons, the disclosure of Bargull does not anticipate Applicants' presently claimed invention.

As indicated above, instant claim 1 defines a device that includes both "extensions each being configured as an upwardly projecting bracket" and a "connecting element being configured as a ledge having a fiber-reinforced synthetic material construction and being fastened by an adhesive to the luggage stowage compartment in at least two locations thereof so as to be unshiftable in a longitudinal direction thereof."

The components of Bargull's system are structurally different from Applicants' presently claimed device. Bargull discloses a luggage compartment system for a passenger aircraft which can be lowered for increasing passenger comfort during loading and unloading. Bargull discloses that end walls 14 of the bin 2 are connected with cross bars 18, 19 via elements 16' and 16". That is not Applicants' presently claimed invention, which includes the connecting element configured as a ledge having a fiber-reinforced synthetic material construction and fastened by an adhesive to the luggage stowage compartment in at least two locations. Bargull's variety of connecting elements increases the complexity and overall weight of the luggage compartment system.

An object of Applicants' invention is to provide a compartment that has as low a weight as possible, and that is as simple and cost effective as possible to produce. This object is achieved by using a device in which the side walls (3) include upwardly projecting brackets (11) that are connected with the ledge (8). The ledge has a fiber-reinforced synthetic material construction and is fastened to the remainder of the luggage stowage compartment. The result is a luggage stowage compartment that can be produced in a simple and cost effective manner.

The ledge is fastened by an adhesive to the luggage stowage compartment in at least two locations thereof so as to be unshiftable in a longitudinal direction. This construction weighs little but is very stable. The construction serves to damp and/or

distribute the shearing and/or tensile and/or pressure forces and tension to which the compartment may be subjected. The ledge thus relieves the ceiling wall (4) and the side walls (3) of the luggage stowage compartment. The introduction of force is conveyed directly into the upwardly projecting brackets of the side walls. More specifically, the ledge transfers forces in the longitudinal direction to the upwardly projecting brackets of the side walls, and then, via typically used push rods, into the carrying structure of the aircraft.

In contrast, prior art devices have connecting elements made of metal, with a resultant higher weight. And typically, the side walls, the ceiling wall, the rear wall, and the bottom of a prior art compartment are manufactured of composite material as a single piece.

Since Bargull does not meet each feature of the claimed invention, Bargull does not anticipate the invention defined by Applicants' instant claim 1. Pending claims 3, 5, and 7 are allowable because they depend from claim 1, and for the subject matter recited therein.

35 U.S.C. § 103(a)

Since Bargull is the primary reference in each of the rejections under § 103(a) - claim 6; claim 8 as being unpatentable over Bargull in view of U.S. Patent No. 5,842,668 to Spencer; claims 9 and 10 as being unpatentable over Bargull in view of U.S.

Patent No. 5,441,326 to Mikalonis; and claim 11 as being unpatentable over Bargull in view of Mikalonis and further in view of U.S. Patent No. 5,817,409 to Stephan et al. (hereinafter "Stephan") -- each of these rejections is also respectfully deemed to be obviated. The combined disclosures of the cited references would not have rendered obvious Applicants' presently claimed invention because the disclosures of the additional references do not rectify any of the above-described deficiencies of Bargull.

Furthermore, there is simply no teaching in any of the references that would have led one to select the references and combine them in a way that would produce the invention defined by any of Applicants' presently pending claims. For example, Spencer teaches a compartment with a bull nose 28 which is mounted inwardly from a service unit 26 to provide structural integrity and cosmetic finish. Mikalonis teaches a support beam 92 including a lighting fixture 36. A grab bar 112 is integral with the support beam 92 and has a telescopic fitting 156 at one end for connection with a corresponding end of an adjacent grab bar. In both Spencer and Mikalonis, the bull nose 28 and the support beam 92, respectively, do not distribute the forces acting on the luggage compartment system. Furthermore, Stephan teaches an overhead storage container made of special prepregs. Stephan's teaching does not lead to a device for a stowage compartment having as low a weight as possible.

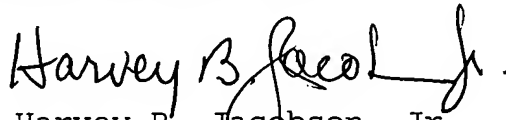
Therefore, the various combinations of references would not have rendered obvious the invention defined by any of Applicants' presently pending claims.

New claims 12-16 have been added to further define the scope of protection sought for Applicants' invention. Independent claim 15 parallels claim 1 of EP 1 689 639, the now-issued patent of the European application that corresponds to the instant U.S. application. New claims 12-16 are also allowable. Since claim 15 includes at least the features discussed above with respect to the various prior art references, the references neither anticipate nor would have rendered obvious the compartment defined by claims 15 and 16.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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